

have to be a part of the budget. He is required by law, or by this constitution, to provide in his budget for that particular program, and it is then an ordinary part of the program. But it is off, of course, for over a year.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Hanson.

DELEGATE HANSON: Judge Sherbow, I see that my colleague, Delegate Scanlan, is here. Maybe I should leave this first question to him. I know that many of the authorities on constitutional revision are very much concerned about the length of articles dealing with the budget, one saying, for example, that some states, Maryland, for example, have solidified far too much detail on the executive budget procedures into their basic law.

This goes back to Delegate Maurer's question. As techniques and criteria for budgeting are constantly being refined, the need for flexibility requires that constitutional treatment of the subject be sparse.

I wonder in terms of a general question why we need all this detail on the budget in the constitution?

DELEGATE J. CLARK (presiding): Delegate Sherbow.

DELEGATE SHERBOW: The only answer I can give you is that with all of the benefit and the vast experience that nearly all of the members, or most of the members of this Committee have had in this field, and the vast education the other members obtained during the time they were on this Committee, based on the remarkable experience the State of Maryland has had since 1917, based on the results of what we have in our effort to bring it up to date, to tighten it where we can, to bring it in line with the modern concept as it is now being developed by this constitution, we felt that it was necessary to spell out all that we have spelled out.

We feel we ought not to eliminate what is in here simply in order to perhaps simplify, because we do not think that would be simplifying it. It is not that we are wedded to words, not that we are wedded to the end result of our product. We think it is right and correct.

DELEGATE J. CLARK (presiding): Delegate Hanson.

DELEGATE HANSON: Is it not correct that Maryland probably places more restrictions upon the budgetary process in its constitution than any other state?

DELEGATE J. CLARK (presiding): Delegate Sherbow.

DELEGATE SHERBOW: I would say Maryland has an executive budget which the people are not only proud of, but they are happy with it. My own judgment, without having taken a Gallup poll, is that they are more than pleased with the result, and I do not believe either the legislature, past governor, or the present governor, would want to see any substantial change made in the philosophy of the executive budget.

The only changes they ever suggest deal with matters of detail as they relate to this aspect or that aspect and not as to its philosophy.

DELEGATE J. CLARK (presiding): Delegate Hanson.

DELEGATE HANSON: I do not believe that that was the answer to my question, which was: is it not true that Maryland, assuming that the philosophy stayed the same, still has more detail in its constitution regarding the executive budget than any other state?

DELEGATE J. CLARK (presiding): Judge Sherbow.

DELEGATE SHERBOW: I cannot answer you, because all the studies I made of all other state budgets are now rolled into an amalgam that I do not even think about because I cannot even mentally put my mind on what the other states have done.

If we are longer than theirs, maybe they are shorter than us on other things. If we are shorter than theirs, maybe they are longer than us on other things. I do not think this is a basis, really, for a determination of this particular matter.

DELEGATE J. CLARK (presiding): Delegate Hanson.

DELEGATE HANSON: I am interested in what you and your Committee consider the essential elements of philosophy of the executive budget. You referred to it several times. I think it would be helpful to all of us to get those basic philosophical and necessary elements of the executive budget well in mind.

DELEGATE J. CLARK (presiding): Judge Sherbow.

DELEGATE SHERBOW: I would not really want to take the time of this assemblage to go into details of this, but I would urge, Delegate Hanson, that you and everybody else who I know are interested